

REMARKS

Applicant thanks the Examiner for the Interview held on May 28, 2008 and for indicating that the proposed amendments appear to overcome the art of record.

Claims 1-28 are pending. By this amendment, claims 1, 4, 13, 18, 19, and 22 are amended and new claims 29-30 are added. Support for the amendments and new claims can be found at least at page 6, lines 19-21, page 7, lines 13-20, and page 20, lines 8-17 of the specification. No new matter is introduced. Reconsideration and issuance of a Notice of Allowance are respectfully requested.

35 U.S.C. § 103 Rejections

On page 2 the Office Action rejects claims 1-10, 12, 13, and 15-28 under 35 U.S.C. §103(a) over U.S. Patent 5,884,271 to Pitroda (hereafter Pitroda) in view of U.S. Patent 4,887,234 to Iijima (hereafter Iijima).

Pitroda is directed to a universal electronic transaction card capable of serving as a number of different credit cards, bank card, identification cards, employee cards, medical and health care management cards. Iijima is directed to a portable electronic device with plural memory areas. However, Pitroda and Iijima, individually and in combination, do not disclose or suggest "a sensor mechanism ... to provide user authorization and identification, the sensor mechanism including an audio sensor," as recited in amended claim 1. Therefore, claim 1 is patentable over Pitroda and Iijima.

Amended claims 4, 13, 19, and 22 recite features similar to those of claim 1, and for this reason, claims 4, 13, 19, and 22 also are patentable.

Claims 2-3 depend from patentable claim 1; claims 5-10, and 12 depend from patentable claim 4; claims 15-18 depend from patentable claim 13; claims 20-21 depend from patentable claim 19; and claims 23-28 depend from patentable claim 22. For these reasons and the additional features they recite, claims 2-3, 5-10, 12, 15-18, 20-21, and 23-28 also are patentable. For example, with respect to amended claim 18, Pitroda and Iijima, individually and in combination, do not disclose or suggest "a biometric identification mechanism on the card selected from the group of: a hand writing sensor; a blood analysis DNA sensor; a neural network sensor; an odorant sensor; and an eye sensor."

Withdrawal of the rejection of claims 1-10, 12, 13, and 15-28 under 35 U.S.C. §103(a) is respectfully requested.

On page 8 the Office Action rejects claim 11 under 35 U.S.C. §103(a) over Pitroda in view of Iijima, and further in view of U.S. Patent 6,196,459 to Goman, et al. (hereafter Goman).

Goman is directed to a smart card personalization system that provides an interface to smart card personalization stations and to external computing or data resources. However, Goman does not cure Pitroda and Iijima's defect and does not disclose or suggest a sensor mechanism that provides user authorization and identification and includes an audio sensor. Therefore, amended claims 1 and 4 are patentable over Pitroda, Iijima, and Goman.

Claim 11 depends from patentable claim 4. For these reasons and the additional features it recites, claim 11 also is patentable. Withdrawal of the rejection of claim 11 under 35 U.S.C. §103(a) is respectfully requested.

On page the Office Action rejects claim 14 under 35 U.S.C. §103(a) as being unpatentable over Pitroda in view of Iijima, and further in view of U.S. Patent 6,293,462 to Gangi (hereafter Gangi) and U.S. Patent 5,055,662 to Hasegawa (hereafter Hasegawa).

Gangi is directed to a wallet consolidator. Hasegawa is directed to a portable information record medium having liquid crystal and photoconductive layers. However, Gangi and Hasegawa do not cure Pitroda and Iijima's defect and do not disclose or suggest a sensor mechanism that provides user authorization and identification and includes an audio sensor. Therefore, amended claims 1 and 13 are patentable over Pitroda, Iijima, Gangi, and Hasegawa.

Claim 14 depends from patentable claim 13. For these reasons and the additional features it recites, claim 14 also is patentable. Withdrawal of the rejection of claim 14 under 35 U.S.C. §103(a) is respectfully requested.

New Claims

New claims 29-30 are allowable at least because they depend from patentable claims 4 and 1, respectively, and for the additional features they recite. For example, Pitroda, Iijima, Goman, Gangi, and Hasegawa, individually and in combination, do not disclose or suggest "the transceiver communicates the variety of user information with an external device selected from the group of a badge entry check point, a pager device, and a short messaging service (SMS)," as recited in claim 29. Similarly, Lee, Pitroda, Iijima, Goman, Gangi, and Hasegawa, individually and in combination, do not disclose or suggest "the processor can execute instructions to enable an information card interface including a microphone," as recited in claim 30.

Conclusion

In view of the above remarks, Applicant respectfully submits that the application is in condition for allowance. Prompt examination and allowance are respectfully requested.

Should the Examiner believe that anything further is desired in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the telephone number listed below.

Respectfully submitted,

Date: **June 3, 2008**


Kelly Lee Kasha
Registration No. 47,743
Andrews Kurth LLP
1350 I Street, NW
Suite 1100
Washington, DC 20005
Tel. (202) 662-2736
Fax (202) 662-2739